

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

JAMES E. SCALES,)
)
Plaintiff,)
)
v.) No. 3:05-0553
) JUDGE ECHOLS
METROPOLITAN GOVERNMENT OF)
NASHVILLE AND DAVIDSON COUNTY,)
TENNESSEE,)
)
Defendant.

ORDER

For the reasons explained in the Memorandum entered contemporaneously herewith, the Court rules as follows:

(1) Defendant's Motion for Summary Judgment (Docket Entry No. 10) is hereby GRANTED IN PART and DENIED IN PART. The Motion is GRANTED in that Plaintiff abandoned his claim under 42 U.S.C. § 1983, and that claim is hereby DISMISSED WITH PREJUDICE. The Motion is DENIED in all other respects.

(2) This case will proceed to final pretrial conference on **Monday, July 24, 2006, at 3:00 p.m.**, as previously scheduled.

IT IS SO ORDERED.



ROBERT L. ECHOLS
UNITED STATES DISTRICT JUDGE